

FILED

MAY 15 2019

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature] DEPUTY CLERK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

DIONTAY DESHAUN ROBERSON,

Defendant.

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CRIMINAL NO.:

**INDICTMENT**

**Ct. 1:** 21 U.S.C. §§ 841(a)(1) & 841  
(b)(1)(D) – Possession with Intent to  
Distribute less than 50 kilograms of  
Marihuana

**Ct. 2:** 18 U.S.C. §924(c) – Carrying a  
Firearm During and in Relation to a Drug  
Trafficking Crime

THE GRAND JURY CHARGES:

**SA 19 CR 0344 DAE**

**COUNT ONE**

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(D)]

On or about April 4, 2019, in the Western District of Texas, Defendant,

**DIONTAY DESHAUN ROBERSON,**

did knowingly, intentionally, and unlawfully, possess with intent to distribute a controlled substance, which offense involved less than 50 kilograms of Marihuana, contrary to Title 21, United States Code, Sections 841(a)(1) & 841(b)(1)(D).

**COUNT TWO**

[18 U.S.C. § 924(c)]

On or about April 4, 2019, in the Western District of Texas, Defendant,

**DIONTAY DESHAUN ROBERSON,**

did knowingly use and carry a firearm, to wit: a Glock, model 19, 9mm pistol, serial number BDMK372, and a Glock, model 23, .40 caliber pistol, serial number KAR454, during and in relation to, and did possess said firearm in furtherance of, a drug trafficking crime that may be prosecuted in a court of the United States, that is Possession with Intent to Distribute Marihuana,

in violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(D), as further described in Count One, in violation of Title 18, United States Code, Section 924(c).

**NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE**  
**[See Fed. R. Crim. P. 32.2]**

**I.**

**Drug Violations and Forfeiture Statutes**

**[Title 21 U.S.C. §§ 841(a)(1), (b)(1)(D), subject to forfeiture pursuant to Title 21 U.S.C. § 853(a)(1) and (2)]**

As a result of the foregoing criminal violations set forth in Count One, the United States of America gives notice to Defendant **Diontay Deshaun Roberson** of its intent to seek the forfeiture of the property described below upon conviction and pursuant to Fed. R. Crim. P. Rule 32.2 and Title 21 U.S.C. § 853(a)(1) and (2), which states:

**Title 21 USC § 853. Criminal forfeitures**

**(a) Property subject to criminal forfeitures.**

Any person convicted of a violation of this subchapter or subchapter II of this chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law –

(1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;

(2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; ...

**II.**

**Firearms Violation and Forfeiture Statutes**

**[Title 18 U.S.C. § 924(c), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461]**

As a result of the foregoing criminal violation set forth in Count Two, the United States of America gives notice to Defendant **Diontay Deshaun Roberson** of its intent to seek the forfeiture of the property described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461, which states:

**Title 18 USC § 924. Penalties**

(d)(1) Any firearm or ammunition involved in or used in any knowing violation of . . . section 924 . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter . . . .

This Notice of Demand for Forfeiture includes but is not limited to the following property:

1. Glock, model 19, 9mm pistol, serial number BDMK372;
2. Glock, model 23, .40 caliber pistol, serial number KAR454; and
3. Any related ammunition and firearm accessories.

A TRUE BILL

  
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FOREPERSON OF THE GRAND JURY

JOHN F. BASH  
UNITED STATES ATTORNEY

BY:

  
BRIAN NOWINSKI  
Assistant United States Attorney